



CITY OF AKRON, OHIO
POLICE DIVISION
JAMES D. NICE, CHIEF OF POLICE

NUMBER P-2011-023	EFFECTIVE DATE September 1, 2011	RESCINDS P-2009-023 Issued 1-14-09
SUBJECT Information Source and Control Procedure		ISSUING AUTHORITY Chief James D. Nice

I. POLICY

The use of an informant as a source of information is an effective and judiciously recognized tool. It is important to establish accountability and the reliability of a source through standardized files and accurate, well maintained records.

II. DEFINITIONS

- A. Information source – A general term for any individual who provides information to a member of the police department. There are three recognized types of information sources; citizen source, continuous source, and controlled source.
 - 1. Citizen source – An individual who supplies general information and does not receive any fee, expenses, or other consideration and whose identity is not necessarily protected; i.e., friend, acquaintance, neighbor, anonymous caller, bartender, cab driver, etc.
 - 2. Continuous source - A person who provides specific information in an ongoing investigation. This person does not usually receive any fee, expenses, or other consideration and their identity is not necessarily confidential.
 - 3. Controlled source – A person who provides information regarding illegal activities or performs other lawful service in exchange for payment or valuable consideration. This person is under the direction of a member of the department and his identity is usually confidential.
- B. Information source file – A confidential file kept by the commander of a unit or bureau containing and documenting all information and contacts with a source.
- C. Information Source Agreement Form – An agreement with a source or prospective source in which he acknowledges receiving instructions as to his behavior while acting as a source. This form shall be completed when utilizing a controlled source and may be used when utilizing a citizen or information source.

- D. Information Source Caution File – A confidential file which shall contain information on persons whose information in the past has been found to be unreliable or so distorted as to be unreliable. This file will be maintained in the office of the Investigative Subdivision commander.
- E. Fee voucher – A receipt for money.
- F. Investigative funds – Monies available for expenses or fees.

III. PROCEDURE

A. INFORMATION SOURCE FILE

- 1. The creation of this file is required when:
 - a. Utilizing a controlled source and may be created when utilizing a citizen or information source.
 - b. Monies are paid for expenses or fees.
 - c. The information source performs or is expected to perform an overt act with the expectation that their identity will be kept confidential; i.e., getting information directly from a suspect, make undercover buys, etc.
 - d. Information or statements from any type of information source used in an affidavit or to obtain search warrants, subpoenas, records, financial data, or any documents not available to law enforcement without the use of such information.
- 2. The information source file shall contain the following:
 - a. Name, alias, address, telephone numbers, DOB, SSN, employment.
 - b. A photograph.
 - c. Criminal record.
 - d. Prior history of information source service.
 - e. Evaluation of stated or obvious motives.
 - f. Activity log of contacts and evaluation of information gained.
 - g. Correspondence.
 - h. Knowledge of prior criminal activities; i.e., burglaries, robberies, drugs, etc.
 - i. Records of monies for expenses and fees.

- j. Information Source Agreement Form.
- k. Any other relevant information.

B. INFORMATION SOURCE CAUTION FILE

- 1. These files are to be treated as confidential information.
- 2. The information source file will be submitted to the officer's commander along with the detailed reasons for the submission.
- 3. The commander will forward the information to the subdivision commander who will maintain these reports in a file.
- 4. Any officer may have access to the caution file by making a request to the subdivision commander or his designee.
- 5. Any officer being furnished with a caution file will sign and date the inside cover of the file and add any new information to the file.
- 6. Any officer using an information source in the information source caution file must first receive permission from a supervisor and will document such use and the outcome in the file.

C. OFFICER/DETECTIVE'S RESPONSIBILITIES

- 1. Photograph the information source and obtain positive identification.
- 2. Obtain a computerized criminal history.
- 3. Check the information source caution file prior to each use of an information source.
- 4. Discuss each item in the Information Source Agreement Form with the potential source to ensure his knowledge of the restrictions placed upon all sources of information. If the information source objects to signing the agreement, this requirement may only be waived with the approval of a Police Legal Advisor.
- 5. Maintain ongoing contact with the information source.
- 6. When meeting with a controlled source it is important that two members meet with this source, one of which should be of the same sex.
- 7. Document all contact and significant developments.
- 8. Document unreliability in the information source caution file.

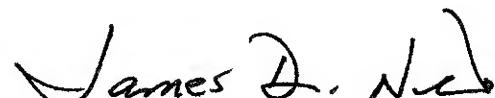
9. Maintain the information source file.
10. Whenever the information source receives departmental funds, a fee voucher or receipt with supporting documentation shall be signed and filed with the appropriate subdivision commander or his designee.
11. Under no circumstances shall any officer conceal information that one of his information sources may be involved in a crime. Known violations shall be reported to the commander.
12. Minors must have written authorization from a parent or guardian to become an information source.
13. Whenever a member of this department learns that a person under investigation intends to commit a violent crime, the information source shall withdraw to a nonparticipative position.
14. Know the identity of the suspect and his relation to the information source.
15. Determine the objectives of the undercover mission.
16. Discuss the operations plan with the information source.
17. Rehearse the entire cover story with the information source.
18. Search the controlled source before and after any controlled buy.
19. Obtain a statement from the controlled source as soon as possible.
20. Make no promises beyond your legal authority without the authorization of a prosecutor. Any approved agreement will be put into writing and signed by the parties involved.
21. In order to ensure a continuation of valuable information, the utilizing officer should introduce his information source to another officer who can serve as an alternate contact.
22. Officers attempting to sell drugs as part of a police investigation must first receive authorization from the Chief of Police and the County Prosecutor.¹

D. GUIDELINES FOR THE USE OF INVESTIGATIVE FUNDS

1. Investigative funds are available for payment to information sources for useable information or assistance and may be available for expenses or fees.
2. The expenditure of investigative funds requires the approval of the Investigative Subdivision commander or his designee.

3. Records of the disposition of all investigative funds will be kept by each unit in a ledger and shall contain the date, amount, purpose, name of the information source or suspect or case being investigated, and the signature of the officer receiving the funds.
4. Each unit that receives investigative funds will complete a quarterly audit and forward the results to their subdivision commander.

By Order Of,



James D. Nice
Chief of Police

Date August 16, 2011

¹ Ohio Revised Code Section 3719.141